

Section 4-02

COMPLIANCE WITH AND EFFECT OF TRAFFIC RULES

(a) Applicability of rules. The provisions of these rules apply to all vehicles, operators of vehicles, bicycles, operators of bicycles and pedestrians upon highways, parkways, shopping center parking lots and municipal areas including public housing, public hospital parking lots, and municipal lots and garages. These rules also apply on wharf property and marginal streets, in off-street parking facilities operated by the Department of Transportation, on vacant lots, and upon private roads open to public motor vehicle traffic, which for the purpose of application of these rules shall be considered streets, highways or parkways, except where a different place is specifically referred to.

(b) Suspension of rules. The Commissioner may, at his/her discretion, suspend any regulation contained herein in situations involving public safety and convenience.

(c) Dangerous driving. No person shall operate a vehicle in a manner that will endanger any person or property.

(d) All persons are required to comply with traffic rules.

(1) Exceptions. It is a traffic infraction for any person, including government employees, to do any act forbidden by or fail to perform any act required by these rules, except as otherwise provided herein.

(i) Authorized emergency vehicles. The operator of an authorized emergency vehicle when involved in an emergency operation as defined in Section 114-b of the Vehicle and Traffic Law may exercise the privileges set forth in Section 1104 of the Vehicle and Traffic Law, subject to the conditions set forth therein.

(ii) Traffic/parking control vehicles. Unless specifically made applicable, the provisions of these rules shall not apply to operators of designated traffic or parking control vehicles, including, but not limited to, tow trucks, while actually engaged in activities necessary to perform their duties.

(iii) Snow plows, sand spreaders, sweepers and refuse trucks.

(A) The operator of a New York City Department of Sanitation snow plow, sand spreader, or sweeper, and the operator of a Department of Transportation vehicle when performing the same function, while in the performance of his/her duty and acting under the orders of his/her superior may make such turns as are necessary and proceed in the direction required to complete his/her cleaning, snow removal, or sand spreading operations subject to Section 1102 of the Vehicle and Traffic Law. The provisions of this subparagraph shall not apply while traveling to or from such work locations.

(B) The operator of a New York City Department of Sanitation refuse truck may temporarily stand on the roadway side of a vehicle parked at the curb, provided that no curb space is available within fifteen feet, while expeditiously loading refuse, subject to Section 1102 of the Vehicle and Traffic Law.

(iv) Highway workers. Unless specifically made applicable, the provisions of these rules shall not apply to persons, teams, motor vehicles, and other equipment actually engaged in work authorized by the city of New York, the State of New York or the federal government while on a highway.

(v) Highway Inspection and Quality Assurance vehicles, compliance inspection unit and street assessment unit vehicles. Unless

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TRAFFIC SIGNALS

(a) Traffic control signals. Whenever traffic is controlled by traffic control signals exhibiting different colored lights successively, the following colors shall indicate and apply to operators of vehicles and to pedestrians, except as superseded by pedestrian control signals, as follows:

(1) Green alone.

(i) Vehicular traffic facing such signals may proceed straight through or turn right or left unless a sign at such place prohibits any such movement. But vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.

(ii) Pedestrians facing such signal may proceed across the roadway within any crosswalk.

(2) Steady yellow alone, dark period, or red-green combined when shown following the green signal:

(i) Vehicular traffic facing such signal is thereby warned that the red signal will be exhibited immediately thereafter and such vehicular traffic shall not enter the intersection when the red signal is exhibited.

(ii) Pedestrians facing such signal are thereby warned that there is insufficient time to cross the roadway, and shall not enter or cross the roadway. Pedestrians already in the roadway shall proceed to the nearest safety island or sidewalk.

(3) Steady red alone:

(i) Vehicular traffic facing such signal shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until an indication to proceed is shown.

(ii) Notwithstanding the foregoing provisions of this subdivision (a), or any provisions of state law, an operator approaching an intersection where a sign authorizes right or left turns on red signal may make such turn after coming to a complete stop, but shall yield the right of way to all vehicles and pedestrians lawfully within the intersection.

(iii) Pedestrians facing such signal shall not enter or cross the roadway.

(4) Arrows. When colored lights shaped as arrows are used as traffic control signals, arrows pointing to the right shall apply to operators intending to enter the intersection to turn to the right, arrows pointing vertically shall apply to operators intending to enter the intersection to proceed straight through, and arrows pointing to the left shall apply to operators intending to enter the intersection to turn to the left. The colors of arrows shall have the same meanings as colors of traffic signal lights, but shall apply only to operators intending to enter the intersection to proceed in the direction controlled by the arrow.

(5) Signs. Operators shall comply with signs that refer to traffic control signals at places other than the intersections at which such signals are located, for example, "Stop here on red."

(6) Signals not at intersections. In the event an official traffic control signal is erected and maintained at a place other than an intersection, all the provisions of this subdivision (a) shall be applicable, except those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

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(7) Nonfunctioning signals. Vehicular traffic facing a signal that is not working shall stop before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection and shall proceed with caution through the intersection.

(b) Blinking traffic control signals.

(1) Red. Vehicular traffic facing such signals shall come to a complete stop and shall proceed only after yielding to any vehicles approaching from the cross street.

(2) Yellow. Vehicular traffic facing such signals shall proceed with caution through the intersection.

(c) Pedestrian control signals. Whenever pedestrian control signals are in operation, exhibiting the words "WALK" and "DON'T WALK" successively, the international green or red hand symbols, figures or any other internationally recognized representation concerning the movement of pedestrians, such signals shall indicate as follows:

(1) WALK, green hand symbol or green walking figure. Pedestrians facing such signal may proceed across the roadway in the direction of the signal in any crosswalk. Vehicular traffic shall yield the right of way to such pedestrians.

(2) Flashing DON'T WALK, red hand symbol or red standing figure. Pedestrians facing such signal are warned that there is insufficient time to cross the roadway and no pedestrian shall enter or cross the roadway. Pedestrians already in the roadway shall proceed to the nearest safety island or sidewalk. Vehicular traffic shall yield the right of way to such pedestrians.

(3) Steady DON'T WALK, red hand symbol or red standing figure. Pedestrians facing such signal shall not enter or cross the roadway.